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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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08/720,070 09/27/96 HYATT

R P53821C

EXAMINER

PM41/0205

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WASHINGTON DC 20005-1401

SEARCHED BY

ART UNIT

PAPER NUMBER

3627

DATE MAILED:

02/05/98

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

*"Supplemental"*  
**OFFICE ACTION SUMMARY**

☒ Responsive to communication(s) filed on January 7 & 14 of 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

**Disposition of Claims**

☒ Claim(s) 1-11 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-11 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

**Application Papers**

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been:

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

☐ Notice of Reference Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

- SEE OFFICE ACTION ON THE FOLLOWING PAGES -

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**DETAILED ACTION**

***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "68", "105b", "104b". On page 20, "core 105c" should be "core 105b". Correction is required.

***Election/Restriction***

2. Applicant's election with traverse of Species E, (Figures 8A-8G) in Paper No. 6 is acknowledged. The traversal is on the ground(s) that the Examiner has made no showing of either independence or distinctness between the Species and no allegation that there is an undue burden on the Examiner. This is not found persuasive because the figures themselves clearly set forth that each species is distinct from the others due to different elements being shown by the figures. Applicant's specification implies that the different species are not usable together and therefore are independent. It is an undue burden on the Examiner to have to search 7 different embodiments which are directed to seven different inventions. If applicant admits on the record that the embodiments are not patentability distinct, then the Examiner will consider the embodiments obvious variants of each other.

The requirement is still deemed proper and is therefore made FINAL.

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***Claim Objections***

3. Claim 11 is objected to because of the following informalities: "intenser" should be "interior" and "aperture" should be --orifice--. Appropriate correction is required.

***Claim Rejections - 35 USC §.102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-11 are rejected under 35 U.S.C. 102(e) as clearly anticipated by Gokcebay et al. 5,552,777. It is inherent in Gokcebay et al. that the second end of the cylinder locks are attached to some form of typical cam actuator (not shown). Schlage locks are an example. Also, Gokcebay et al. is a continuing application of Gokcebay et al. 5,367,293 which shows a bearing surface and cam actuator.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
7. The Examiner has not considered the Other Documents cited on applicant's PTO 1449. The Examiner informed applicant's attorney during the September 15, 1997 telephone interview that copies of these documents were not in the file.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darnell Boucher whose telephone number is (703) 308-2492.

dmb

February 5, 1998

*Darnell M. Boucher*  
DARNELL M. BOUCHER  
PRIMARY EXAMINER  
GROUP 3500